

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Twenty Third day of July Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE M.DURAI SWAMY

WMP.No.10161 of 2020

IN WP.No.21122 of 2017

POPE JOHN PAUL II COLLEGE OF EDUCATION, [PETITIONER]
REP.BY ITS SERETARY,
REV.FR.SWAMINATHAN,
REDDIARPALAYAM,
PUDUCHERRY - 605 010.

Vs

1.THE SECRETARY, [RESPONDENTS]
DEPARTMENT OF EDUCATION,
GOVERNMENT OF PUDUCHERRY,
PUDUCHERRY.

2.THE DIRECTOR,
DIRECTORATE OF HIGHER AND TECHNICAL EDUCATION,
GOVERNMENT OF PUDUCHERRY,
PUDUCHERRY.

3.PONDICHERRY UNIVERSITY,
REP.BY ITS REGSITRAR,
PUDUCHERRY - 605 014.

4.SOUTHERN REGIONAL COMMITTEE,
NATIONAL COUNCIL OF TEACHER EDUCATION,
JANA BHARATHI CAMPUS ROAD,
OPP.NATIONAL LAW SCHOOL,
NAGARABHAIR, BANGALORE - 560 072.

5.NATIONAL COUNCIL OF TEACHER EDUCATION,
HANS BHWAN, (WINGII)
NBAHADUR SHAH ZAFAR MARG,
NEW DELHI - 110 002.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the 3rd and 4th respondents to permit the petitioner to proceed with the admission process for the academic year 2020-2021, for the existing sanctioned intake of 50 + 100 students in respect of the Four Year Integrated Course for the programmes one unit of B.A., B.Ed and two units of B.Sc, B.Ed., respectively, in the light

of the Inspection Report dated 24.03.2018 and the minutes of NCTE-SRC in the 365th meeting dated 01.11.2018 and the 370th meeting dated 08.02.2019, under the NCTE Regulations, 2014, (IN WMP.No.10161 of 2020) pending disposal of the above Writ Petition (WP.No.21122 of 2017).

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.FATHER XAVIER ARULRAJ, SENIOR COUNSEL for MRS.ARUL MARY for the petitioner and of MR.SU.SRINIVASAN, ADVOCATE for respondents 4 & 5 and the 1 to 3 Respondents not appearing either in person or by an Advocate, the court made the following order:-

Heard Mr.Father Xavier Arulraj, learned Senior Counsel appearing for the petitioner and Mr.Su.Srinivasan, learned Counsel appearing for the respondents 4 and 5. The learned counsel appearing for the respondents 1 to 3 are not available for making their submissions through Video Conferencing even today.

2. The learned Senior Counsel appearing for the petitioner institution submitted that identical questions that are raised in the present Miscellaneous Petition were raised before this Court in W.M.P.No.21995 of 2017 in the above Writ Petition relating to the year 2017-2018 and this Court, by order dated 15.09.2017, had issued an interim direction permitting the petitioner institution to admit the students for B.A., B.Ed and B.Sc, B.Ed., Integrated Course for the existing sanctioned strength of 150 students. Subsequently, for the academic year 2018-2019, another Miscellaneous Petition in W.M.P. No.33981 of 2018 was filed by the petitioner institution and this Court by order dated 01.11.2018, permitted the petitioner institution to admit the students for the said academic year as per the sanctioned strength. Subsequently, by a communication dated 05.12.2018, Pondicherry University directed the Controller of Examination to permit the students to write their examinations, however, the petitioner institution prevented from publishing the results until the final outcome of the main Writ Petition. For the academic year 2019-2020, the petitioner filed Miscellaneous Petitions in W.M.P.Nos.11992 and 11989 of 2019 and this Court, by order dated 24.04.2019, followed the earlier orders passed by this Court and permitted the petitioner institution to admit the students as per the sanctioned strength for the academic year 2019-2020 also.

3. Now, the petitioner institution has filed the Miscellaneous Petition in W.M.P.No.10161 of 2020 seeking permission to admit the students for the academic year 2020-2021 as it was done for the earlier academic years.

4. Mr.Su.Srinivasan, learned Counsel appearing for the respondents 4 and 5 submitted that earlier orders passed by this Court may be passed for this academic year also and the issue can be decided in the main Writ Petition.

5. Taking into consideration the submissions made by the learned counsel on either side and also the earlier orders passed by this Court in respect of the academic years 2017-2018, 2018-2019 and 2019-2020, following the same, I permit the petitioner institution to admit the students as per the sanctioned strength for the academic year 2020-2021 also. However, the admissions made by the petitioner institution are subject to the result of the Writ Petition.

With the above observations, the Miscellaneous Petition is disposed of.

-sd/-
23/07/2020

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Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1. THE SECRETARY,
DEPARTMENT OF EDUCATION,
GOVERNMENT OF PUDUCHERRY,
PUDUCHERRY.

2. THE DIRECTOR,
DIRECTORATE OF HIGHER AND TECHNICAL EDUCATION,
GOVERNMENT OF PUDUCHERRY,
PUDUCHERRY.

3. THE REGISTRAR,
PONDICHERRY UNIVERSITY, सत्यमेव जयते
PUDUCHERRY - 605 014.

4. SOUTHERN REGIONAL COMMITTEE,
NATIONAL COUNCIL OF TEACHER EDUCATION,
JANA BHARATHI CAMPUS ROAD,
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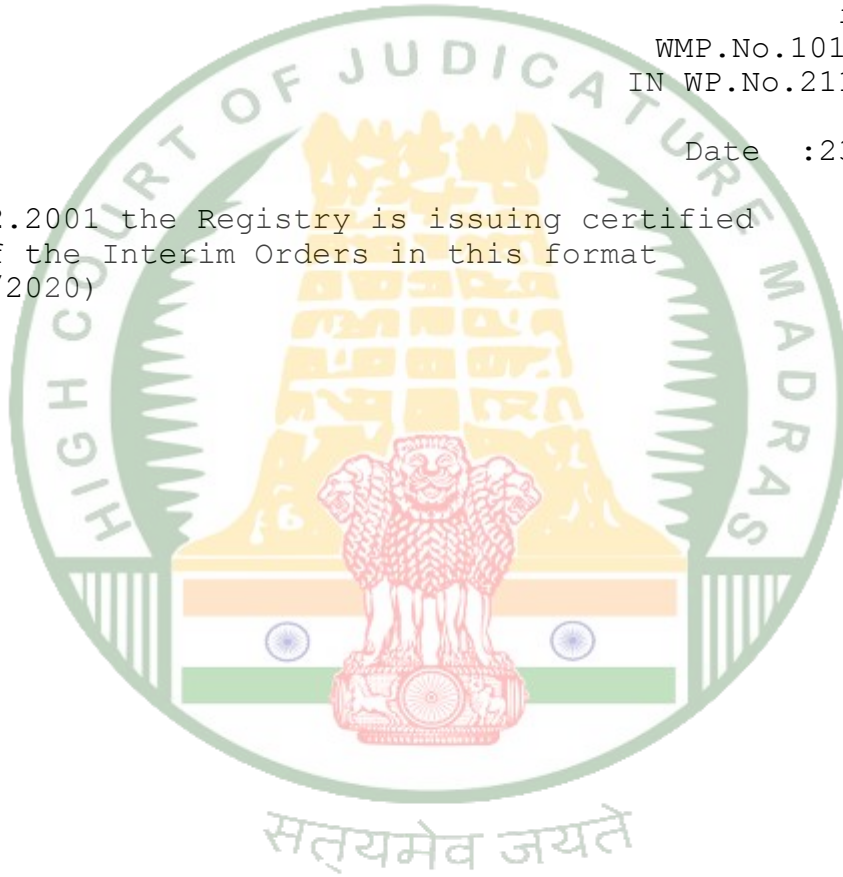
C.C. to M/S. FATHER XAVIER ASSOCIATES Advocate SR.No.4256

Order

in
WMP.No.10161 of 2020
IN WP.No.21122 of 2017

Date :23/07/2020

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